

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):

TROPE AND TROPE

SORRELL TROPE (State Bar 21103)

12121 WILSHIRE BOULEVARD

SUITE 801

LOS ANGELES, CA 90025

TELEPHONE NO.: (310) 207-8228

FAX NO. (Optional): (310) 826-1122

E-MAIL ADDRESS (Optional):

ATTORNEY FOR (Name): BRITNEY SPEARS

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

STREET ADDRESS: 111 NORTH HILL STREET

MAILING ADDRESS: SAME

CITY AND ZIP CODE: LOS ANGELES, CA 90012

BRANCH NAME: CENTRAL

PETITIONER/PLAINTIFF: BRITNEY SPEARS

RESPONDENT/DEFENDANT: KEVIN FEDERLINE

EX PARTE

NOTICE OF MOTION

☐ Child Custody☐ Child Support☐ Attorney Fees and Costs☐ MODIFICATION☐ Visitation☐ Spousal Support

See Attachment to Form FL-310

☐ Injunctive Order☒ Other (specify):

CASE NUMBER:

BD 455 662

FILED

LOS ANGELES SUPERIOR COURT

NOV 16 2007

JOHN A. CLARKE, CLERK

JY M. DOMINGUEZ, DEPUTY

1. TO (name): RESPONDENT, KEVIN FEDERLINE

2. A hearing on this motion for the relief requested in the attached application will be held as follows:

a. Date: 1-23-08 Time: 8:30 a.m. ☒ Dept.: 88 ☐ Rm.:b. Address of court ☒ same as noted above ☐ other (specify):

3. Supporting attachments:

a. Completed Application for Order and Supporting Declaration (form FL-310) and a blank Responsive Declaration (form FL-320)

b. ☐ Completed Income and Expense Declaration (form FL-150) and a blank Income and Expense Declarationc. ☐ Completed Financial Statement (Simplified) (form FL-155) and a blank Financial Statement (Simplified)d. ☐ Completed Property Declaration (form FL-160) and a blank Property Declaratione. ☒ Points and authoritiesf. ☒ Other (specify): See Application Form FL-310

Date: November 15, 2007

TROPE AND TROPE by ANNE KILEY

(TYPE OR PRINT NAME)

ORDER

(SIGNATURE)

4. ☐ Time for ☐ service ☐ hearing is shortened. Service must be on or before (date):

5. Any responsive declaration must be served on or before (date):

6. If child custody or visitation is an issue in this proceeding, Family Code section 3170 requires mediation before or concurrently with the hearing listed above. The parties are ordered to attend orientation and mandatory custody services as follows:

Date:

JUDICIAL OFFICER

NOTICE: If you have children from this relationship, the court is required to order payment of child support based on the incomes of both parents. The amount of child support can be large. It normally continues until the child is 18. You should supply the court with information about your finances. Otherwise, the child support order will be based on the information supplied by the other parent.You do not have to pay any fee to file declarations in response to this Notice of Motion (including a completed Income and Expense Declaration (form FL-150) or Financial Statement (Simplified) (form FL-155) that will show your finances). In the absence of an order shortening time, the original of the responsive declaration must be filed with the court and a copy served on the other party at least nine court days before the hearing date. Add five calendar days if you serve by mail within California. (See Code of Civil Procedure 1005 for other situations.) To determine court and calendar days, go to www.courtinfo.ca.gov/selfhelp/courtcalendars/.

PETITIONER/PLAINTIFF: BRITNEY SPEARS

CASE NUMBER:

RESPONDENT/DEFENDANT: KEVIN FEDERLINE

BD 455 662

7. PROOF OF SERVICE BY MAIL

a. I am at least age 18, **not a party to this action**, and am a resident or employed in the county where the mailing took place. My residence or business address is:

b. I served copies of the following documents by enclosing them in a sealed envelope with postage fully prepaid, depositing them in the United States mail as follows:

(1) Papers served:

- (a) *Notice of Motion* and a completed *Application for Order and Supporting Declaration* (form FL-310) **and** a blank *Responsive Declaration* (form FL-320)
- (b) ☐ Completed *Income and Expense Declaration* (form FL-150) **and** a blank *Income and Expense Declaration*
- (c) ☐ Completed *Financial Statement (Simplified)* (form FL-155) **and** a blank *Financial Statement (Simplified)*
- (d) ☐ Completed *Property Declaration* (form FL-160) **and** a blank *Property Declaration*
- (e) ☐ Points and authorities
- (f) Other (*specify*):

(2) Manner of service:

- (a) Date of deposit:
- (b) Place of deposit (*city and state*):
- (c) Addressed as follows:

c. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

**Request for Accommodations**

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the proceeding. Contact the clerk's office or go to www.courtinfo.ca.gov/forms for *Request for Accommodations by Persons With Disabilities and Response* (Form MC-410). (Civil Code, § 54.8.)

PETITIONER: BRITNEY SPEARS RESPONDENT: KEVIN FEDERLINE	CASE NUMBER: BD 455 662
---	----------------------------

APPLICATION FOR ORDER AND SUPPORTING DECLARATION

—THIS IS NOT AN ORDER—

☒ **Petitioner** ☐ **Respondent** ☐ **Claimant** requests the following orders:

1. ☐ **CHILD CUSTODY** ☐ **To be ordered pending the hearing**
- a. Child (name, age)

b. Legal custody to
(person who makes decisions about health, education, etc.) (name)

c. Physical custody to
(person with whom child lives.) (name)

☐ **Modify existing order**
 (1) filed on (date):
 (2) ordering (specify):

☐ As requested in form ☐ FL-311 ☐ FL-312 ☐ FL-341(C) ☐ FL-341(D) ☐ FL-341(E)

2. ☐ **CHILD VISITATION** ☐ **To be ordered pending the hearing**
- a. As requested in: (1) ☐ Attachment 2a (2) ☐ Form FL-311 (3) ☐ Other (specify):
- b. ☐ **Modify existing order**
 (1) filed on (date):
 (2) ordering (specify):
- c. ☐ One or more domestic violence restraining/protective orders are now in effect. (Attach a copy of the orders if you have one.) The orders are from the following court or courts (specify county and state):

(1) ☐ **Criminal:** County/state: _____
 Case No. (if known): _____

(3) ☐ **Juvenile:** County/state: _____
 Case No. (if known): _____

(2) ☐ **Family:** County/state: _____
 Case No. (if known): _____

(4) ☐ **Other:** County/state: _____
 Case No. (if known): _____

3. ☐ **CHILD SUPPORT** (An earnings assignment order may be issued.)
- a. Child (name, age) b. Monthly amount (if not by guideline)
- \$

c. ☐ **Modify existing order**
 (1) filed on (date):
 (2) ordering (specify):

4. ☐ **SPOUSAL OR PARTNER SUPPORT** (An earnings assignment order may be issued.)
- a. ☐ Amount requested (monthly): \$

b. ☐ Terminate existing order
 (1) filed on (date):
 (2) ordering (specify):

c. ☐ **Modify existing order**
 (1) filed on (date):
 (2) ordering (specify):

5. ☐ **ATTORNEY FEES AND COSTS** a. ☐ Fees: \$ b. ☐ Costs: \$

NOTE: To obtain domestic violence restraining orders, you must use the forms *Request for Order (Domestic Violence Prevention)* (form DV-100) and *Temporary Restraining Order and Notice of Hearing (Domestic Violence Prevention)* (form DV-110).

PETITIONER: BRITNEY SPEARS

CASE NUMBER:

BD 455 662

RESPONDENT: KEVIN FEDERLINE

6. ☐ PROPERTY RESTRAINT ☐ To be ordered pending the hearing

a. The ☐ petitioner ☐ respondent ☐ claimant is restrained from transferring, encumbering, hypothecating, concealing, or in any way disposing of any property, real or personal, whether community, quasi-community, or separate, except in the usual course of business or for the necessities of life.

☐ The applicant will be notified at least five business days before any proposed extraordinary expenditures, and an accounting of such will be made to the court.

b. ☐ Both parties are restrained and enjoined from cashing, borrowing against, canceling, transferring, disposing of, or changing the beneficiaries of any insurance or other coverage, including life, health, automobile, and disability, held for the benefit of the parties or their minor children.

c. ☐ Neither party may incur any debts or liabilities for which the other may be held responsible, other than in the ordinary course of business or for the necessities of life.

7. ☐ PROPERTY CONTROL ☐ To be ordered pending the hearing

a. ☐ The petitioner ☐ respondent is given the exclusive temporary use, possession, and control of the following property that we own or are buying (specify):

b. ☐ The petitioner ☐ respondent is ordered to make the following payments on liens and encumbrances coming due while the order is in effect:

DebtAmount of paymentPay to

8. ☒ I request that time for service of the Order to Show Cause and accompanying papers be shortened so that these documents may be served no less than (specify number): ten days before the time set for the hearing. I need to have the order shortening time because of the facts specified in the attached declaration, with hearing set for Nov. 26, 2007.

9. ☒ OTHER RELIEF (specify): SEE ATTACHMENT TO FORM FL-310

10. ☒ FACTS IN SUPPORT of relief requested and change of circumstances for any modification are (specify):

☒ contained in the attached declarations

of ANNE KILEY, TARA SCOTT, HILLARY SLEVIN and MEMORANDUM OF POINTS AND AUTHORITIES.

See also Declarations of Britney Spears filed in response to Respondent's ex parte application incorporated herein by reference.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: November 15, 2007

TROPE AND TROPE by ANNE KILEY

(TYPE OR PRINT NAME)

(SIGNATURE OF APPLICANT)

Attachment to
FL-310

FL-310

2 ATTACHMENT TO FL-310

3 Petitioner requests that the Court order as follows:

4 1. That the Court extend the sealing order in this
5 case to encompass all orders, pleadings and reports issued or
6 submitted in connection with the child custody and visitation
7 issues in this proceeding.

8 2. That the Court prohibit the parties, counsel, and
9 persons under the control of the parties and counsel, from
10 discussing with the press or with any persons not involved in this
11 case as counsel, experts or witnesses any matters related to child
12 custody or visitation proceedings, or any documents filed in
13 connection therewith, including orders of the Court related
14 thereto, exhibits filed in connection therewith, pleadings filed
15 in connection therewith and statements made in closed hearings.

16 3. In the alternative that hearing be set on
17 Petitioner's ex parte application on shortened time such that it
18 is heard on November 26, 2007 at 8:30 a.m.

19

20

21

22

23

24

25

26

27

28

100-100000

2 MEMORANDUM OF POINTS AND AUTHORITIES

3 I.

4 THE SAFETY OF THE CHILDREN REQUIRES THAT THE
5 COURT ISSUE ORDERS TO ENFORCE ITS F.C. §214
6 RULINGS AND PRIOR RULINGS REGARDING
7 CONFIDENTIALITY OF CUSTODY FILINGS

8
9 A. Order Sealing Records.

10 This case involves a custody dispute in which the mother
11 is a person of substantial media interest.

12 In order to protect the children from embarrassment and
13 damage relating to disclosure of material concerning their parents
14 in this case, Petitioner brought a motion to seal the Second
15 Further Judgment on Reserved Issues, which was joined in by
16 Respondent. Subsequently, Petitioner brought an ex parte motion
17 to extend her motion to seal to all pleadings in this matter
18 dealing with child custody and visitation issues. The Respondent
19 also joined in that request.

20 A hearing was conducted on September 14, 2007 and on
21 September 17, 2007 the Court issued its order providing that all
22 pleadings submitted by the parties and experts be redacted and
23 sealed and the records relating thereto not be disseminated,
24 disclosed and/or published in any way, or the substance thereof
25 communicated to anyone other than the Court, the parties, the
26 parties' respective counsel of record and the parties' respective
27 expert witnesses.

28 Said order states that it applies to specified

2 information, including, but not limited to,

3 • "information relating to child custody issues
4 involving the mental and physical health of the parties and the
5 children",

6 • the dates of exchanges of custody of the children
7 relating to visitation, and

8 • "specific custody and visitation schedules."
9 Exhibit "A," p. 11.

10 • Also to be sealed and redacted are "declarations,
11 exhibits and attachments submitted and relating specifically to
12 child custody and visitation issues . . ." Exhibit "A," p. 12.

13 Although the Court's order was directed toward the
14 parties and pleadings filed by the parties, the Court's order also
15 made it clear that the purpose was to prohibit such information
16 relating to the custody dispute from being made public for the
17 purpose of protecting the children. The Court stated that

18
19 "The facts provided here demonstrate that it
20 is in the best interest of the children that
21 the portions of the court file dealing with
22 custody and visitation be redacted pursuant
23 to the orders below." Exhibit "A," pages 9-
24 10.

25
26 The Court further stated:
27
28

2 "The court finds pursuant to court rule
3 2.550(d) that the facts in this case
4 demonstrate that there is an overriding
5 interest that overcomes the right of public
6 access to the record in this case involving
7 issues of child custody and visitation. The
8 court further finds that this overriding
9 interest supports sealing the record and that
10 a substantial probability exists that the
11 overriding interest will be prejudiced if the
12 record is not sealed." Exhibit "A," page 10,
13 emphasis added.

14
15 The Court further found that

16
17 "the nature of the litigation surrounding the
18 child custody and visitation issues of this
19 case, are such that the release of the
20 records subject to the Order of the Court
21 below would subject the children to
22 unnecessary embarrassment and stigma."
23 Exhibit "A," page 10.

24
25 **B. Orders Closing Proceedings.**

26 In addition to the Court's order sealing records
27 relating to custody proceedings, upon request of the parties the
28 court has regularly closed court proceedings involving custody

1 In re Marriage of SPEARS/FEDERLINE L.A.S.C. Case No. BD 455 662
2 pursuant to Family Code §214.

3 Although the closing of court proceedings under Section
4 214 is distinct from the sealing of records, generally when a
5 proceeding is closed, all transcripts of the proceedings, as well
6 as exhibits related thereto, are also considered confidential. In
7 Re Marriage of Lechowick (1998) 65 Cal.App.4th 1406, 1411, 1413.

8
9 C. Further Orders Are Necessary for the Protection of the
10 Children.

11 Notwithstanding the orders of the Court sealing records,
12 and closing appropriate proceedings, which in effect renders what
13 occurred during the proceedings confidential as the transcripts
14 are sealed, the continual dissemination of information concerning
15 custody proceedings, both before they occur and after they have
16 occurred, regardless of source, has created a veritable feeding
17 frenzy among the media which not only now endangers the emotional
18 well-being of the children, but their very physical safety, as
19 Petitioner and the children are surrounded and literally chased by
20 hordes of photographers, videographers, and reporters whenever
21 they attempt to venture from their home. Unless the children are
22 to be treated as prisoners, and since this Court has no way to
23 control the illegal and life-threatening actions of the
24 photographers and other third parties, the only practical way for
25 this Court to obtain the results intended by its orders under
26 Family Code §214 and CRC Rule 2.550, is to attempt to staunch the
27 flow of information which is contributing to the press attention
28 by ordering the parties, their attorneys, and all other associated

2 personnel under the jurisdiction of the Court, from commenting
3 upon any custody proceeding, either filed or intended to be filed,
4 or upon any proceedings which have occurred during a closed
5 session. I.e., a "gag order."

6 Any order made pursuant to the Family Code, such as this
7 Court's orders closing custody-related proceedings and sealing the
8 files thereof, may be enforced by "such other order as the court
9 in its discretion determines from time to time to be necessary."
10 F.C. §290.

11 In addition, the Court should augment its order sealing
12 portions of the record to specifically include the sealing of
13 orders arising from or related to custody proceedings, and/or
14 orders commenting upon testimony or reports discussed in closed
15 §214 proceedings or otherwise relating to custody or visitation
16 proceedings. The orders of this Court are part of the record in
17 this proceeding.

18 Although, with respect to the requested "gag order,"
19 Petitioner recognizes that orders restricting in advance the
20 speech of a citizen are disfavored, such orders directed to
21 participants in litigation are permissible if the speech sought to
22 be restrained poses a clear and present danger or serious and
23 imminent threat to a protected competing interest, the order is
24 narrowly tailored to protect that interest, and no less
25 restrictive alternatives are available. Maggi v. Superior Court
26 (2004) 119 Cal.App.4th 1218, 1225.¹

27
28 ¹ In Maggi, supra, it was determined that the prior
restraining order in that case was not appropriate. However, that

2 Here, the protected competing interest is the welfare of
3 the children, which this Court has already specifically recognized
4 as justifying the sealing of the record and preclusion of the
5 public from custody-related proceedings.

6 When the Court made its prior orders, the interests of
7 the children were those relating to damage which could be caused
8 to them through disclosure of information that might prove
9 embarrassing or harmful in later years. Now, the matter is even
10 more immediate and pressing and involves the children's very
11 physical well-being.

12 The order which is requested is narrowly tailored and
13 simply designed to ensure that the information the Court did not
14 wish revealed as indicated by its sealing of the record, which
15 includes transcripts and exhibits, is not abrogated by statements
16 relating thereto or to statements contained in orders released.
17 And, under the circumstances of this case, no less restrictive
18 alternatives are available. In effect we have the media creating
19 situations, endangering the children, which now result in further
20 Court proceedings for them to report.

21 For the reasons set forth above, Petitioner respectfully
22 requests the Court to issue its order prohibiting the parties,
23 counsel, and persons under the control of the parties and counsel,

24 _____
25 case did not involve a family law proceeding, much less a custody
26 proceeding, in which Family Code §214 was applicable or in which
27 records had already been determined to be subject to sealing to
28 protect the interests of the children. The parties in Maggi
instead sought to prohibit former investors and counsel from
contacting certain third-party witnesses or discussing the lawsuit
with former investors. None of the interests which have already
been found controlling by this Court were applicable in that case.

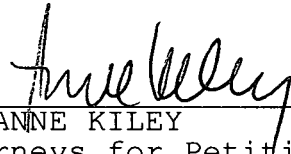
1 In re Marriage of SPEARS/FEDERLINE L.A.S.C. Case No. BD 455 662

2 from discussing with the press or with any persons not involved in
3 this case as counsel, experts or witnesses any matters related to
4 child custody or visitation proceedings, or any documents filed in
5 connection therewith, including orders of the Court related
6 thereto, exhibits filed in connection therewith, or pleadings
7 filed in connection therewith.

8 Petitioner further requests the Court to augment its
9 sealing order to specifically include the sealing of orders
10 relating to custody and/or visitation proceedings.

11
12 Dated: November 15, 2007

TROPE AND TROPE

13
14 By: 
15 ANNE KILEY
16 Attorneys for Petitioner,
17 BRITNEY SPEARS
18
19
20
21
22
23
24
25
26
27
28

2 DECLARATION OF ANNE KILEY

3 I, ANNE KILEY, declare as follows:

4 1. I am an attorney at law and Certified Family Law
5 Specialist duly licensed to practice before all courts of the
6 State of California, and I am a partner of the firm of Trope and
7 Trope, attorneys of record for Petitioner herein. I have
8 firsthand, personal knowledge of the facts stated herein, and if
9 called as a witness, I could and would competently testify
10 thereto.

11 2. Since I commenced working on this case, I have
12 received almost daily e-mails or telephone calls from various
13 reporters. Many of these e-mails or calls have been to request
14 that I confirm or deny information from sealed records, including
15 drug test results. I have also received inquiries to confirm or
16 deny whether there will be court appearances in this matter. I
17 have received inquiries concerning what the court has or has not
18 ordered, and the basis for those orders. As an example of recent
19 inquiries, attached as Exhibit "1" is a copy of an e-mail I
20 received on November 15, 2007, and a copy of an e-mail I received
21 on November 14, 2007.

22 3. I have received several calls from a women who has
23 claimed that she is "Britney Spears". I have received several
24 voice mails from individuals leaving obscene messages for me
25 and/or Petitioner. A copy of an e-mail I received on November 9,
26 2007 calling Petitioner a "sick piece of trash" is attached hereto
27 as Exhibit "2". I have also received several e-mails from people
28 expressing their "support" for Petitioner.

2 4. I had a telephone conversation with Respondent's
3 attorney, Mark Kaplan, on Monday afternoon, November 12, 2007.
4 During that telephone conversation, I advised Mr. Kaplan that
5 Petitioner had been taking the prescription medication, Adderall,
6 as well as Albuterol. On November 14, 2007, I sent Mr. Kaplan and
7 his partner, Mr. Simon, the letter regarding same attached hereto
8 as Exhibit "3" and incorporated herein by reference. Thereafter,
9 I spoke with Mr. Simon.

10 5. Attached as Exhibit "4" is a copy of my Notice of
11 ex parte application/request for hearing on shortened time.
12

13 I declare, under penalty of perjury, under the laws of the
14 State of California, that the foregoing is true and correct.

15 Executed November 15, 2007 at Los Angeles, California.
16

17 
18 ANNE KILEY
19
20
21
22
23
24
25
26
27
28

[illegible]

2 **DECLARATION OF HILLARY SLEVIN**

3 I, HILLARY SLEVIN, declare as follows:

4 1. I am an attorney at law duly licensed to practice
5 before all courts of the State of California, and I am an
6 associate of the firm of Trope and Trope, attorneys of record for
7 Petitioner herein. I have firsthand, personal knowledge of the
8 facts stated herein, and if called as a witness, I could and would
9 competently testify thereto.

10 2. Since Trope and Trope began representing
11 Petitioner, I have routinely reviewed various internet web sites
12 and articles about Petitioner. I am aware of the terms of the
13 confidentiality order in this case, and I have routinely noted
14 that certain information governed by this Court's confidentiality
15 order is routinely being reported by TMZ.Com, and other similar
16 websites. In addition, I am one of the attorneys working on
17 Petitioner's case in our office.

18 3. Most recently the website "www.TMZ.com" ("TMZ") has
19 reported about Petitioner's positive drug test, and specific
20 information regarding a drug test.

21 4. By way of example, on November 12, 2007, shortly
22 after our office called Mr. Kaplan and informed him that
23 Petitioner had been prescribed a drug which may account for a
24 false positive, an article was posted on TMZ.com stating "Brit's
25 Peeps Say Drugs are Prescription, Bitch." A true and correct copy
26 of this posting dated November 12, 2007 is attached hereto as
27 Exhibit "5."

28 5. The next day, it was reported by TMZ.com that

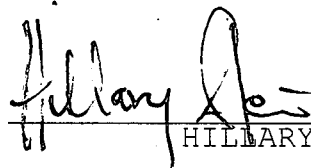
2 Petitioner had used Albuterol for asthma, a fact which was relayed
3 to Mr. Kaplan earlier that day. A true and correct copy is
4 attached hereto as Exhibit "6."

5 6. Today, TMZ.Com reported that Petitioner is taking
6 medication for ADD, information that was relayed by this office
7 only to Respondent's counsel. A true and correct copy of TMZ's
8 report is attached hereto as Exhibit "7."

9 7. In addition, prior to this most recent issue,
10 TMZ.com has routinely reported on various specifics related to
11 confidential information, including statements by the parenting
12 coach, specific information about the custodial schedule, and
13 specifics of other confidential documents filed with the Court.
14 True and correct copies of these articles are attached hereto as
15 Exhibit "8."

16
17 I declare, under penalty of perjury, under the laws of the
18 State of California, that the foregoing is true and correct.

19 Executed NOVEMBER 15, 2007 at Los Angeles, California.

20
21 
22 HILLARY SLEVIN

Declaration of Tara L. Scott

2 **DECLARATION OF TARA L. SCOTT**

3 I, TARA L. SCOTT, declare as follows:

4 1. I am an attorney at law duly licensed to practice
5 before all courts of the State of California, and I am an
6 associate with the firm of Trope and Trope, attorneys of record
7 for Petitioner herein. I have firsthand, personal knowledge of
8 the facts stated herein, and if called as a witness, I could and
9 would competently testify thereto.

10 2. Since early, October, 2007, I have received
11 numerous phone calls from individuals requesting me to be a
12 liaison between them and Petitioner. My name was listed on the
13 Court's Minute Order for the hearing which took place on October
14 3, 2007, which was posted on or about October 4, 2007 on the
15 internet website, tmz.com.

16 3. For example, since November 12th I have received
17 numerous phone calls from a man identifying himself as "Ray
18 Ramos." He has left me numerous, lengthy voicemail messages for
19 me to pass on information to Petitioner.

20 4. I have received a number of other calls from
21 people, most of which request either an interview with Petitioner
22 or request that I pass on messages to Petitioner.

23 5. I receive almost daily telephones calls and emails
24 from various media agencies, many of which I have never heard of,
25 regarding this case, including for verification of information in
26 confidential pleadings and/or reports.

27 6. In addition, I have collected the mail from "fans"
28 of Petitioner received by my firm. I estimate that the mail

1 In re Marriage of SPEARS/FEDERLINE L.A.S.C. Case No. BD 455 662

2 received for Petitioner since we commenced representing her would
3 fill a banker's box.

4

5 I declare, under penalty of perjury, under the laws of the
6 State of California, that the foregoing is true and correct.

7 Executed November 15, 2007 at Los Angeles, California.

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28


TARA L. SCOTT

EXHIBIT



001790

anne kiley

From: "Liss, Christopher" <Christopher.Liss@extratv.com>
To: <Kiley@tropeandtrope.com>
Sent: Thursday, November 15, 2007 8:11 AM
Subject: EXTRA - Britney Spears

Good morning,

There are many reports that there will be another hearing tomorrow. Do you know if Britney will be attending that hearing tomorrow? And can you confirm what specifically the hearing is for?

And can you confirm if she has failed any of the drug tests that were ordered by the court?

Christopher Liss
EXTRA
1840 Victory Blvd.
Glendale, CA 91201
818-972-0718
818-972-0682 (f)

11/15/2007

anne kiley

From: "David Thompson" <David.Thompson@OK-MAGAZINE.COM>
To: <kiley@tropeandtrope.com>
Sent: Wednesday, November 14, 2007 5:59 PM
Subject: Re: Miss Spears

Anne, we haven't met and I'm asking you all sorts of probing questions which isn't normally my style but here goes nothing: we're hearing that Britney failed a drug test today and has cancelled production on her latest video and that there's an emergency court hearing tomorrow. I'd like to be as accurate as possible before posting something on our website. Think you can help please? Thanks, David

----- Original Message -----

From: anne kiley <kiley@tropeandtrope.com>
To: David Thompson
Sent: Tue Nov 13 16:59:41 2007
Subject: Re: Miss Spears

Hi David - That is not what the Court ordered. What opposing counsel and I stated was we are trying to reach an agreement, and we still are in that process. Thanks, Anne

----- Original Message -----

From: David Thompson <<mailto:David.Thompson@OK-MAGAZINE.COM>>
To: kiley@tropeandtrope.com
Sent: Tuesday, November 13, 2007 12:58 PM
Subject: Miss Spears

Dear Anne, we haven't spoken before so please forgive my blunt approach, but I was wondering if your client, Britney Spears, had complied with the commissioners instruction to install a dedicated phone line at her house - I believe the deadline was 12 noon today. I'd be grateful if you could let me know.

Thanks in advance.

David

David Thompson
News Director
OK! Magazine
9250 Wilshire Blvd, Suite 220,
Beverly Hills, CA 90212
Tel: 310 860 1160 x 104
Fax: 310 860 1170
Cell: 310 435 9812

11/15/2007

EXHIBIT

2

anne kiley

From: "Jean" <catmom64@verizon.net>
To: <Kiley@tropeandtrope.com>
Sent: Friday, November 09, 2007 12:58 PM
Subject: Britney Spears

Please do this sick piece of trash a favor and get her some drug and mental health counseling!

She is one crazy fucked up piece of trash who does not deserve children if she is going to act like this!!!!

11/15/2007

EXHIBIT

3

EXHIBIT

LAW OFFICES

Trope and Trope

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

12121 WILSHIRE BOULEVARD-SUITE 801

Los Angeles, California 90025

(310) 207-8228
(323) 879-2726

TELECOPIER
(310) 826-1122

SORRELL TROPE†
EUGENE L. TROPE
STEVEN KNOWLES†
MARK S. PATT
THOMAS PAINE DUNLAP‡
ANNE KILEY†
LAWRENCE E. LEONE †
JOHN A. ELLIS
ARTHUR SOLL
LORI A. HOWE
JAMES A. DURANT
JOSEPH P. KOENIG
BRIAN P. LEPAK
MURRAY S. BERNIS
BRET H. HUNTER
MARY DINIUS WHITE †
KRISTINE L. BOWMAN
MIRKA ROYSTON
TARA L. SCOTT
HILLARY SLEVIN
ROUI AREN ISRAEL
ERIN GARDINER
JONATHAN PAKRAVAN
MELANIE SHORNICK
SOPHIE C. BIDET
MEGHANN BONVIE
ELIZABETH STUART PERRY
MICHELLE R. FAY

† CERTIFIED SPECIALIST - FAMILY LAW
‡ CERTIFIED SPECIALIST - APPELLATE LAW
THE STATE BAR OF CALIFORNIA
BOARD OF LEGAL SPECIALIZATION
* A PROFESSIONAL CORPORATION

November 14, 2007

VIA FAX ONLY

Mark Vincent Kaplan, Esq.
James M. Simon, Esq.
Kaplan & Simon, LLP
2049 Century Park East, Suite 2660
Los Angeles, CA 90067

Re: Marriage of Spears/Federline

Dear Mark and Jim:

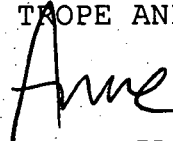
Britney had Adderall remaining from an old prescription, and resumed taking the Adderall at the beginning of November. She was unable to meet with Dr. Long the week of November 5. She was scheduled to meet with him on November 7, however, but did not as a result of the meeting with Dr. Gibbs being cancelled on November 5 due to Kevin's illness, requiring that meeting to be rescheduled to November 7. Dr. Long did not have any other availability, as he was out of town from November 8 through 11. Britney did meet with Dr. Long on November 12, and he provided her with the attached prescription for a one-month

Mark Vincent Kaplan, Esq.
James M. Simon, Esq.
November 14, 2007
Page 2

supply of Adderall. Britney does not have the prescription records for the old prescription.

Very truly yours,

TROPE AND TROPE

A handwritten signature in cursive script, appearing to read "Anne".

ANNE KILEY

AK:lay

cc: Sorrell Trope, Esq.
Tara L. Scott, Esq.

00112010

EXHIBIT

4

EXHIBIT 4

LAW OFFICES

Trope and Trope

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

12121 WILSHIRE BOULEVARD-SUITE 801

Los Angeles, California 90025

(310) 207-8228
(323) 879-2726

TELECOPIER
(310) 826-1122

SORRELL TROPE†
EUGENE L. TROPE
STEVEN KNOWLES†
MARK S. PATT
THOMAS PAINE DUNLAP
ANNE KILEY†
LAWRENCE E. LEONE †
JOHN A. ELLIS
ARTHUR SOLL
LORI A. HOWE
JAMES A. DURANT
JOSEPH P. KOENIG
BRIAN P. LEPAK
MURRAY S. BERNIS
BRET H. HUNTER
MARY DINIUS WHITE †
KRISTINE L. BOWMAN
MIRKA ROYSTON
TARA L. SCOTT
HILLARY SLEVIN
ROUI AREN ISRAEL
ERIN GARDINER
JONATHAN PAKRAVAN
MELANIE SHORNICK
SOPHIE C. BIDET
MEGHANN BONVIE
ELIZABETH STUART PERRY
MICHELLE R. FAY

November 15, 2007

VIA FAX ONLY

† CERTIFIED SPECIALIST - FAMILY LAW
‡ CERTIFIED SPECIALIST - APPELLATE LAW
THE STATE BAR OF CALIFORNIA
BOARD OF LEGAL SPECIALIZATION
* A PROFESSIONAL CORPORATION

Mark Vincent Kaplan, Esq.
James M. Simon, Esq.
Kaplan & Simon, LLP
2049 Century Park East, Suite 2660
Los Angeles, CA 90067

Re: Marriage of Spears/Federline

Dear Mark and Jim:

This letter is to notice that, in connection with your ex parte application that you are bringing at 8:30 a.m. tomorrow, Friday, November 16, 2007, in Department 88, we will request that the court extend the sealing order in this case to encompass all orders, pleadings and reports issued or submitted in connection with the child custody and visitation issues in this proceeding, and order that no one present in a closed hearing may discuss that closed hearing, and no one may quote from or discuss the records sealed in this proceeding. We hope that you will join in our request, as you joined in the September 14, 2007 Motion. We are only requesting this by way of ex parte application or in the alternative requesting a hearing on shortened time such that it is heard on November 26 as a result of your ex parte appearance tomorrow.

Very truly yours,

TROPE AND TROPE



ANNE KILEY

AK:lay

EXHIBIT

5

EXHIBIT

Brit's Peeps Say Drugs are Prescription, Bitch

Posted Nov 12th 2007 10:21AM by TMZ Staff

Filed under: Celebrity Justice, Britney Spears

EXCLUSIVE



More Britney Spears people are coming forward, in the wake of the TMZ story that Britney tested positive for drugs last week.

A Brit source tells us, "The only thing that comes on the results are the prescriptions, that the court doctor prescribed." The source added, "There has been no illegal drugs or even alcohol in any of the test results."

We know Britney is seeing a shrink as part of the ongoing custody brouhaha. That could be what the source was talking about with respect to the court doctor.

**PHOTO
MARKED FOR SCANNING**

06/11/2013
2102/11/08

EXHIBIT

6

EXHIBIT

Inhaler? We Hardly Knew Her! -- Brit's Drug Test

Posted Nov 13th 2007 2:08PM by TMZ Staff

Filed under: Celebrity Justice, Britney Spears

EXCLUSIVE



TMZ has learned Britney Spears will now say her false positive drug test may have been caused by her inhaler, which she uses for asthma.

Sources connected with Spears told TMZ yesterday that the drug that may have caused the positive was Provigil, used to treat narcolepsy. But TMZ did some digging and found Provigil would not show up on a court-ordered drug test.

Now the same source says the drug that showed up may have been Albuterol, an asthma drug. But, again, we checked and Albuterol is not an amphetamine, and the class of drug that showed up on the test was an amphetamine.

K-Fed's lawyer, Mark Vincent Kaplan, will press the issue tomorrow in court. Stay tuned.

**PHOTO
MARKED FOR SCANNING**

EXHIBIT

2

EXHIBIT

ritney Comes to Attention -- Deficit Disorder

Posted Nov 15th 2007 11:50AM by TMZ Staff

Filed under: Celebrity Justice, Britney Spears

EXCLUSIVE



TMZ has learned Britney Spears will now play the ADD card in court tomorrow, arguing that her medication caused a positive reading on a drug test last week.

As we first reported, a source connected to Britney first said Provigil, a drug used to treat narcolepsy, was the cause of the false positive. But then TMZ reported that Provigil would not show up on a court-ordered drug test.

Then Brit's peeps said the reason for the positive reading was that she has asthma, and used an inhaler of Albuterol. But then we reported the drug Brit tested positive for was an amphetamine -- and Albuterol is not.

So now -- Attention Deficit Disorder -- just like Paris. And based on our information -- just like Paris -- we believe Britney's prescription is for Adderall. That drug fits the bill, because Adderall is an amphetamine.

The lawyers are in court tomorrow. We're told K-Fed's lawyer, Mark Vincent Kaplan, will renew his motion to prohibit Brit from driving with the kids in the car, especially after blowing a red light at a dangerous intersection a few days ago -- with the kids in the back seat.




EXHIBIT

8

Posted Oct 30th 2007 5:10PM by [TMZ Staff](#)
 Filed under: [Celebrity Justice](#), [Britney Spears](#)

The decision is in -- Britney Spears has not regained custody of her kids.



BREAKING NEWS

BRITNEY SPEARS
Petitioner

vs.

KEVIN FEDERLINE
Respondent

On October 26, 2007, a hearing was held in
 Court regarding:
 Respondent's October 2007 Petition for Custody

[VIEW DOCS](#)

[READ THE COURT'S RULING](#)



Issuing his order today, Commissioner Scott Gordon gave Spears three visits per week, two from 12:00 Noon to 7:00 PM and one overnight visit. The visits will be monitored.

Spears and K-Fed are ordered to figure out holiday schedules with the kids.

Britney must submit evidence that she childproofed her pool area by Friday.

In the order, the Commish wrote that when Britney has the kids, "the environment at the house ranged from chaotic to almost somber with little communication at all." The Commish also recounts what the parenting coach complained of -- that "during all three of my visits, Ms. Spears rarely engaged with the children in either conversation or play."

According to the report, the coach wrote, "It seems that [Britney's] choices are dependent more upon what she wants to do at any given time rather than what would be more enjoyable for the children."

The coach also said Spears seemed to have a "lack of general attention at times" but there was nothing she "would characterize as abusive in a traditional sense."

And then the most damning comment from the parenting coach: "The problem is that unless Ms. Spears realizes the consequences of her behavior and the impact that it has [on] her children, nothing is going to be successful."



Parenting Coach to Brit -- I'm Not A Potted Plant!

Posted Oct 23rd 2007 1:35PM by **TMZ Staff**

Filed under: Celebrity Justice, Britney Spears

EXCLUSIVE



TMZ has learned Britney Spears' parenting coach has submitted her report to the court, and it ain't pretty.

Sources say the two-and-a-half page report says Britney totally ignored the coach -- didn't even acknowledge her presence. The coach says she was unable to teach Britney anything, because Spears didn't want to listen.

The report, which was presented to the court yesterday and will be critical in determining if Spears should regain 50/50 custody, concludes that Britney often ignores her kids and lives in her own little world -- that Britney often disappeared and wasn't around the kids or the coach. We're told the coach has said Brit spends a lot of time on the phone and changing clothes.



[X](#)
[Autos](#)
[Jobs](#)
[Mapquest](#)
[Music](#)
[Personals](#)
[Podcasts](#)
[Shopping](#)
[Travel](#)
[Yellow Pages](#)
[TMZ.com](#)
[Web](#)
[Images](#)
[Video](#)
[Local](#)

SEARCH 



Brit and K-Fed -- Together Again!

Posted Oct 24th 2007 2:27PM by [TMZ Staff](#)
 Filed under: [Celebrity Justice](#), [Britney Spears](#)



FilmMagic

Sources tell TMZ Britney and K-Fed attended their first co-parenting class this morning.

Brit arrived first and K-Fed a short time later. The class lasted a couple of hours. They met with a parenting coach, who gave them advice on how a divorced couple should raise their children.

The kids were not present.

Sources say Britney was actually looking forward to discussing parenting with her ex -- however, after arriving at the location, Brit was distraught and seen bawling like a baby in the

bathroom.

It's only the third time Brit and K-Fed have been in the same room since they separated. The other two occasions involved settlement conferences at a lawyer's office.

Hot Hunks at the Car Wash

Posted Oct 24th 2007 8:00AM by [TMZ Staff](#)
 Filed under: [Britney Spears](#), [Hot Bodies](#)

While trying to track down Britney Spears in Beverly Hills today, one of our photographers happened upon two hot, half-naked guys gettin' wet at a car wash! Want a hot wax with that?



WireImage

Brit Does It Again

Posted Oct 19th 2007 12:32PM by TMZ Staff

Filed under: Celebrity Justice, Britney Spears

EXCLUSIVE



TMZ.com

TMZ has learned that Britney Spears stood up her parenting coach yesterday, and apparently, it's the last straw for the coach.

Sources say Britney had a scheduled time to meet the coach yesterday at her Malibu home. The coach made the trek, but no Britney.

We're told during the hearing earlier this week, the coach phoned in and asked the Commissioner if she could end the home visits, presumably because they were going nowhere. Seems like Britney was ignoring the coach -- like everyone else who gives her advice.

And get this -- after the court hearing last week, as Britney got in the elevator, she said, "Why didn't he (the Commissioner) lock down the building for me?" It's her world, we just live in it.

